

TRANSMITTAL FORM FOR FILING PATENT APPLICATION

Attorney Docket No. MIOPT-010XX

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U.S. PRO  
 03917 10/656905  
 09/05/03

MAIL STOP PATENT APPLICATION  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

Express Mail No: EV044747255US  
 Date: September 5, 2003

First Named Inventor or Application  
 Identifier: Mark B. Spitzer

Sir:

Transmitted herewith under 37 CFR § 1.53 for filing is the patent application of:

Inventors: Mark B. Spitzer, Gregory H. Hunter and Paul M. Zavracky

Entitled: BINOCULAR VIEWING SYSTEM

This is a request for filing a  continuation  divisional  
 continuation in-part application under §1.53(b) of prior Application  
 No. \_\_\_\_\_, filed \_\_\_\_\_, entitled:

Enclosed are:

- 41 pages of written description, claims and Abstract, inclusive
- 33 sheets of  informal  formal drawings of Figs. 1 - 33 (one set)
- Oath or Declaration
  - Newly executed (original or copy)
  - Copy from prior application (37 CFR 1.63(d)) (for continuation/divisional). The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
- Unexecuted - To be filed later
- Cover sheet and Assignment of the invention to:  
 including a check in the amount of \$ \_\_\_\_\_ for recordation fee.
- Certified copy of a \_\_\_\_\_ application (if foreign priority is claimed) with letter claiming priority under Rule 55.
- Information Disclosure Statement with 33 citations (6 references enclosed)
- Preliminary amendment is enclosed.
- Return receipt postcard
- Small entity status is entitled to be, and hereby is, asserted for this application.

TRANSMITTAL FORM FOR FILING PATENT APPLICATION (CONTINUED)

[ ] Other:

[ ] Priority is claimed under 35 USC § 120 as indicated on the attached sheet 4.

[ ] Priority is claimed under 35 USC §119(a)-(d) as indicated on the attached sheet 4.

[X] Priority is claimed under 35 USC §119 (e) as indicated on the attached sheet 4.

[ ] \_\_\_\_\_ is hereby appointed Associate Attorney by:  
Registration No.:

\_\_\_\_\_  
Attorney of Record:  
Registration No.:

[ ] Power of Attorney in the originally-filed application has been granted to one or more of the registered attorneys listed below. The attorneys listed below not previously granted power in the originally-filed application, as well as \_\_\_\_\_, are hereby given associate power:  
Registration No.:

Stanley M. Schurgin, Reg. No. 20,979  
Charles L. Gagnebin III, Reg. No. 25,467  
Victor B. Lebovici, Reg. No. 30,864  
Beverly E. Hjorth, Reg. No. 32,033

Holliday C. Heine, Reg. No. 34,346  
Gordon R. Moriarty, Reg. No. 38,973  
James F. Thompson, Reg. No. 36,699

[ ] Cancel in this application original claims \_\_\_\_\_ of the prior application before calculating the filing fee.

[ ] Add in this application claims \_\_\_\_\_ per amendment before calculating fee.

CLAIMS FILED:	MINUS BASE:	EXTRA CLAIMS:	RATE:	BASIC FEE:
				\$750.00
Independent	4 - 3	= 1	x \$84.00 =	\$84.00
Total	87 - 20	= 67	x \$18.00 =	\$1206.00
[X] Multiple Dependent Claims (1st presentation)			+ \$280.00 =	\$280.00
			<b>SUBTOTAL FILING FEE</b>	<b>\$2320.00</b>
Small Entity filing, divide by 2. (Small Entity status must be asserted.)				N/A
			<b>TOTAL FILING FEE</b>	<b>2320.00</b>

## TRANSMITTAL FOR FILING PATENT APPLICATION (CONTINUED)

The filing fee has been calculated above; a check in the amount of \$ \_\_\_\_\_ is enclosed.

The filing fee will be submitted at a later date.

In the event a Petition for Extension of Time under 37 CFR §1.17 is required by this paper and not otherwise provided, such Petition is hereby made and authorization is provided herewith to charge Deposit Account No. 23-0804 for the cost of such extension.

The Commissioner is hereby authorized to charge payment of any additional filing fees under 37 CFR §1.16 associated with this communication or credit any overpayment to Deposit Account No. 23-0804.

Customer Number 207

which is associated with the Law Firm of:  
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United States  
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Beverly E. Hjorth  
Attorney of Record: Beverly E. Hjorth  
Registration No. 32,033

## TRANSMITTAL FOR FILING PATENT APPLICATION (CONTINUED)

[ ] Priority is claimed under 35 USC § 120 of prior Application(s) No. \_\_\_\_\_ filed \_\_\_\_\_, entitled:

[ ] The above-identified application(s) is/are assigned of record to:

[ ] Priority is claimed under 35 USC § 119 (a)-(d) of the following application(s).

(Application Number)	(Country)	(Filing Date)
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(Application Number)	(Country)	(Filing Date)
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(Application Number)	(Country)	(Filing Date)
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[ ] The above-identified application(s) is/are assigned of record to:

[X] Priority is claimed under 35 USC § 119 (e) of the following provisional application(s).

60/465,441	April 25, 2003
(Application Number)	(Filing Date)

(Application Number)	(Filing Date)
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(Application Number)	(Filing Date)
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[X] The above-identified provisional application(s) is/are assigned of record to: THE MICROOPTICAL CORPORATION

**SUBMIT IN TRIPPLICATE**

BEH/knr/291540-1